

Remarks

Claims 1, 2, 4-10, 13, 17-19, 21, and 22 were pending when last examined, all of which stand rejected. Claims 1, 2, 4-6, 8-10, 13, 17-19, 21, and 22 are amended. Claims 25 and 26 are newly added.

Claim Objections

Claim 22 is objected for reciting an “organic layer” instead of a “dielectric layer.” The objected portion of the claim has been deleted.

Claim Rejections – 35 USC § 103

Claims 1, 2, 4, 6-9, 13, 17-18, 21, and 22 are rejected under 35 USC 103(a) as being unpatentable over U.S. Application Publication No. 2003/0214621 to Kim et al. (“Kim”) in view of U.S. Patent No. 6,839,099 to Fukinishi (“Fukinishi”).

Claims 1, 8, 18, and 21 are patentable over Kim at least because they recite “a first spacer that is positioned in a display region ... wherein a distance between neighboring spacers decreases as the spacers approach a center of the display region.” As shown in the application (e.g., FIG. 11 and description thereof), the positions of the spacers vary as a function of distance from the center of the display region. This particular arrangement of spacers is not taught in Kim or Fukinishi. Kim, which discloses a pixel electrode on a protective layer, is silent as to the arrangement of its spacer 80. Fukinishi does not discuss a spacer structure of any kind.

Claims 2, 4, 6, and 7 depend from Claim 1 and are patentable over Kim and Fukunishi for at least the same reason as Claim 1.

Claims 9, 13, and 17 depend from Claim 8 and are patentable over Kim and Fukunishi for at least the same reason as Claim 8.

Claim 22 depends from Claim 21 and is patentable over Kim and Fukunishi for at least the same reason as Claim 22.

Claims 5 and 10 are rejected under 35 USC 103(a) as being unpatentable over Kim and Fukunishi and further in view of U.S. Patent No. 6,806, 934 to Furuhashi et al. (“Furuhashi”). Claims 5 and 10 depend from Claims 1 and 8, respectively, and these rejections are made under the assumption that Claims 1 and 8 are unapentable over a combination of Kim and Fukunishi. However, for the reasons stated above, Kim and Fukunishi do not teach all the elements recited in

Claims 1 and 8. Thus, Claims 1 and 8 are patentable over Kim and Fukunishi, and Claims 5 and 10 are patentable over a combination of Kim, Fukunishi, and Furuhashi for at least the same reason.

Claim 19 is rejected under 35 USC 103(a) as being unpatentable over Kim and Fukunishi further in view of U.S. Patent No. 6,323,932 to Zhang et al. ("Zhang"). Claim 19 depends from Claim 18, and this rejection is made under the assumption that Claim 19 is unpatentable over Kim and Fukunishi. However, for the reasons stated above, Kim and Fukunishi do not teach all the elements recited in Claim 18. Thus, Claim 18 is patentable over Kim and Fukunishi, and Claim 19 is patentable over a combination of Kim, Fukunishi, and Zhang for at least the same reason.

New Claims

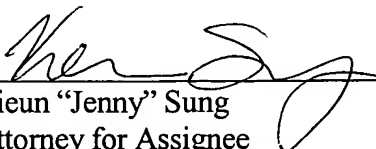
Dependent claims 25 and 26 are newly added. These Claims depend from Claims 1 and 8, respectively, and are patentable over the references cited in the Office Action for at least the same reasons as Claims 1 and 8.

For the reasons stated above, Claims 1, 2, 4-10, 13, 17-19, 21, 22, 25, and 26 are now in condition for allowance. Please telephone the undersigned attorney at (408) 392-9250 if there are any questions.

Respectfully submitted,

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